UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:08-CR-271-BR No. 5:12-CV-198-BR

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)	<u>ORDER</u>
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This matter is before the court on petitioner's *pro se* motion for a certificate of appealability from the court's orders dismissing his § 2255 motion and denying his Rule 60 motion. In the order dismissing petitioner's § 2255 motion, the court declined to issue a certificate of appealability. (DE # 153 at 6.) To the extent the motion requests a certificate of appealability to obtain review of the order denying the Rule 60 motion, the court finds that petitioner has not made "a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), and the motion is DENIED.

This 10 August 2012.

W. Earl Britt

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Senior U.S. District Judge